

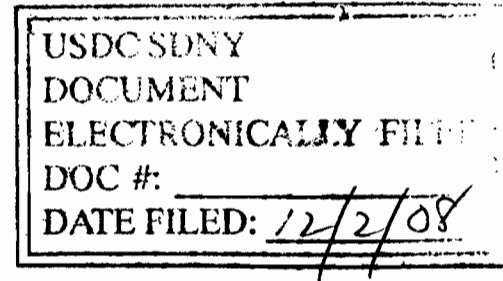
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation**

Master File No. 1:00 – 1898
MDL 1358 (SAS)
M21-88

This document relates to:

Village of Hempstead v. AGIP Inc., 03 CV 10055; and
West Hempstead Water Dist. v. AGIP Inc., 03 CV 10052



CASE MANAGEMENT ORDER NO. 43

**(PRE-TRIAL DEADLINES FOR NAPOLI BERN CASES
SET FOR TRIAL ON JUNE 22, 2009)**

The Court hereby sets the following deadlines in the above-captioned actions for the pre-trial events identified below:

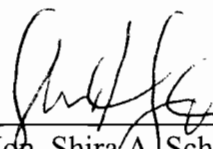
In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation

Doc. 2171

<u>Event</u>	<u>Deadline</u>
Plaintiffs identify experts	January 7
Defendants identify experts	January 21
FACT DISCOVERY CLOSES¹	February 16
Summary Judgment Motions not requiring expert evidence filed	January 30
Plaintiffs' Expert Disclosures (non case-specific)	January 26
Defendants' Expert Disclosures (non case-specific)	February 26
Plaintiffs' Expert Rebuttals (non case-specific)	March 12
Plaintiffs' Expert Disclosures (case-specific)	February 16
Defendants' Expert Disclosures (case-specific)	March 16
Plaintiffs' Expert Rebuttals (case-specific)	March 30
EXPERT DISCOVERY CLOSES²	April 30
DISPOSITIVE MOTIONS FILED (Expert-based only)	April 24

Response Briefs (21 days)	May 1
Reply Briefs (14 days)	May 8
Plaintiffs' Deposition Designations	April 6 (non-experts) June 3 (experts)
Defendants' objections, counter-designations; designations	April 20 (non-experts) June 10 (experts)
Plaintiffs' objections to Defendants' counter- designations	April 24 (non-experts) June 15 (experts)
Plaintiffs' Witness & Exhibit Lists	April 13 (non-experts) May 27 (experts)
Defendants' Witness & Exhibit Lists	April 27 (non-experts) June 10 (experts)
Motions <i>in Limine</i> Filed	May 11
Responses to Motions <i>in Limine</i>	May 25
Replies to Motions <i>in Limine</i>	June 1
Parties exchange draft Pre-Trial Orders	May 8
Parties file Joint Proposed Pre-Trial Order	June 1
Parties file jury questionnaires	June 12
TRIAL BEGINS	June 22

SO ORDERED this 1 day of Dec, 2008



 Hon. Shira A. Scheindlin, U.S.D.J.

1. As was done in *SCWA*, the parties are amenable to limited fact discovery after this date for fact issues that arise in expert discovery.
2. *Daubert* motions would be filed within 10 business days of an expert deposition closing; responses in 10 business days; replies in 5 business days.

-Appearances-

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